

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TODD ASHKER,  
Plaintiff,  
v.  
MATHEW CATE, et al.,  
Defendants.

---

No. 09-02948 CW

ORDER DENYING  
REQUEST FOR ORDER  
OF SERVICE AS  
MOOT AND GRANTING  
REQUEST TO  
WITHDRAW REQUEST  
FOR SERVICE

On June 25, 2010, Plaintiff Todd Ashker filed a request for court-ordered Marshal service of summons and complaint at Plaintiff's expense. On June 28, 2010, Plaintiff filed a request to withdraw his previous request for service on the ground that the Pelican Bay State Prison Litigation Coordinator assured Plaintiff that Defendants will waive service of summons and complaint.

For good cause appearing, Plaintiff's request for service (docket no. 14) is denied as moot and Plaintiff's request to withdraw his request for service (docket no. 15) is granted.

IT IS SO ORDERED.

Dated: June 30, 2010



---

CLAUDIA WILKEN  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

TODD ASHKER,

Plaintiff,

v.

MATHEW CATE et al,

Defendant.

Case Number: CV09-02948 CW

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 30, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Todd Ashker C58191  
D1-119  
Pelican Bay State Prison  
P.O. Box 7500  
Crescent City, CA 95532

Dated: June 30, 2010

Richard W. Wieking, Clerk  
By: Ronnie Hersler, Adm Law Clerk

United States District Court  
For the Northern District of California